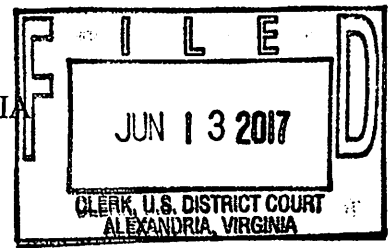


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA



UNITED STATES OF AMERICA

v.

JASON MARK SIMS

Defendant.

CRIMINAL CASE NO.1:17-MJ-247

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Peter Kaupp, being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of an application for a complaint and arrest warrant.
2. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such. I have been so employed by the FBI since March of 2005. Currently, I am assigned to the Northern Virginia Resident Agency of the Washington Field Office, where my duties include investigations pertaining to the sexual exploitation of children and on-line offenses involving children, including the production, transportation, distribution, receipt and possession of child pornography. I have been with WFO since 2012 and assigned to the Child Exploitation Task Force since May of 2015. I have made numerous arrests and interviewed numerous victims, witnesses, and suspects. I have participated in numerous child abuse investigations, child sex abuse investigations, and Internet Crimes Against Children investigations. I have also received extensive training in online child exploitation investigations and undercover online investigations.

3. As a federal agent, I am authorized to investigate violations of laws of the United States and as a law enforcement officer, I am authorized to execute arrest warrants issued under the authority of the United States.

PURPOSE OF AFFIDAVIT

4. The statements contained in this Affidavit are based on my experience and background as an FBI agent and on information obtained during the course of my investigation. I have not set forth every fact resulting from the investigation; rather I have set forth a summary of the investigation to date. For the reasons set forth below, your Affiant contends that this affidavit contains probable cause to believe that JASON MARK SIMS ("SIMS") violated 18 U.S.C. § 2252(a) (Receipt, Distribution, or Possession of Child Pornography).

PROBABLE CAUSE

5. During the course of your Affiant's duties as an undercover ("UC"), your Affiant posted an online bulletin message on a specific social media forum, which, based on your Affiant's experience and information gathered from other sources, is a website that is frequented by individuals who have a sexual interest in children and incest. The bulletin message was intended to attract individuals with a sexual interest in children through the use of adjectives, such as, "taboo."

6. On June 6, 2016, an individual with the screen-name "Jason" responded to your Affiant's bulletin message. As described below, that individual was subsequently identified as SIMS. In response to your Affiant's posted advertisement, SIMS e-mailed your Affiant the following message: "Interested in knowing more about what you have going on. 35, white, ddf".

7. Your Affiant then began to engage SIMS in a conversation over e-mail. Your Affiant informed SIMS that your Affiant was interested in "keeping it discrete" and asked SIMS

for his Kik¹ account. SIMS replied, “Discreet is good. Kik is ‘Bartleby.’” SIMS also stated, “Make sure you have the period at the end of the kik id”.

8. On June 13, 2016, your Affiant began to communicate with SIMS over Kik by asking, “Hey, you responded to my CL ad. Young taboo. What ages u like”.² SIMS replied, “Oh hey. Pretty open to all, I think.”

9. On July 5, 2016, SIMS asked your Affiant via Kik, “Find anything good to share yet? I haven’t really. Nothing to trade means no one will trade (sad face emoji)”. Your Affiant replied, “Yeah. I have all original pics. Real dad here,” to which SIMS replied, “Ugh. Want so badly”. SIMS then asked your Affiant, “Are you local,” to which your Affiant replied, “DC” “You?” SIMS responded, “Yup. Thought so, since we met on CL,” to which your Affiant asked, “K. Where r u?” SIMS replied, “Capitol Hill”.

10. SIMS continued the July 5, 2016 conversation, writing, “So... How old now, and what ages do you have material from? Or maybe that is too much info”. Your Affiant replied, “My girl is 10. Have pics and vids. All original”. SIMS then asked, “And what gains me access?” Your Affiant replied, “Just need to trust u. Anything to share”. SIMS replied, “Nothing real. Come across something on tumblr now and then, but that sort of thing is ephemeral. Will keep looking for a key”.³

¹ “Kik” refers to Kik messenger, a free mobile application that permits users to send text messages and other content, including videos and images.

² “CL” refers to Craigslist, the social media forum on which your affiant posted the bulletin message to which Sims responded.

³ “Tumblr” is a microblogging platform and social networking website. The service allows users to post multimedia – photos, videos, texts, quotes, links, music – and other content to a short-form blog.

11. On August 4, 2016, SIMS sent your Affiant via Kik a video of a young, naked, pre-pubescent girl sitting on top of a naked adult male. The girl, approximately six years old, is holding and stroking the adult male's erect penis. SIMS also sent a link over Kik to a Dropbox folder⁴ with the caption, "Hoping this gets me a bit of yours". Your Affiant accessed that video from within the Eastern District of Virginia.

12. On August 8, 2016, your Affiant sent SIMS a Kik message, "Hey. Just got this and the Dropbox didn't open", to which SIMS replied, "I can roll something else your way. That one died pretty quick, you were just gone for a while."

13. Later on August 8, 2016, SIMS sent your Affiant a link to another Dropbox folder that contained multiple pictures and videos, many of which depict prepubescent female children, some of whom appeared to be as young as approximately two years old. Most of these videos and pictures depicted children engaged in sex acts or lewd and lascivious exhibition of the genitals and therefore would constitute child pornography. For example, one video located inside of a folder titled, "S1 Spermed Loli cumpilations1.zip," contained a compilation of numerous videos of adult males ejaculating on the face, body, head, and inside the mouths of various prepubescent females. Another video titled, "assfuck compilation," contained approximately three videos of adult males having anal and/or vaginal sex with prepubescent females. Your Affiant opened the link to these pictures and videos from within the Eastern District of Virginia.

14. On August 9, 2016, your Affiant asked SIMS via Kik, "Damn, Which one is your favorite vid in that Dropbox?" SIMS replied, "I think the top one might be mine ... the creampie". Within the Dropbox folder, the top video is titled, "4yo Girl Creampied By Man"; this video

⁴ "Dropbox" is a cloud storage and sharing medium, through which users can send e-mail links allowing others to access the content of the account holder's cloud storage account.

depicts an adult male having what appears to be anal sex followed by vaginal sex with a young prepubescent female, approximately four years old. The adult male then ejaculates inside of the vagina of the four-year old girl. Your Affiant messaged back, "Yeah. That girl was so young. Like 4, right? Lol. So hot", to which SIMS replied, "Excellent stuff. Was happy so much of it worked". Your Affiant asked SIMS, "The creampie of the 4yo Asian girl?", to which SIMS replied, "I'm feeling a bit odd about how you keep saying ages, tbh". Your Affiant replied, "I just like talking about it. What is tbh"? SIMS replied, "To be honest. It's cool though. Just trying to remain careful. I still don't know you or that I can trust you for certain... But yeah, that one was very hot".

15. On August 22, 2016, your Affiant had the following conversation with SIMS via Kik:

Affiant: Hey man. How you doing

Sims: Doing just fine. You?

Affiant: Things are good. I have my daughter this Thursday night

Sims: Nice...What is your plan?

Affiant: Would love to watch her suck you off. Would you want to meet up thurs afternoon?

Sims: Sounds too good to be true, man.

Affiant: I can prove I'm real

Sims: I probably could do that, but I'd be really scared... How can you prove you are real?

Affiant: I can send you a pic of her this Thursday night.

Sims: I would love to see that.

Affiant: If you like the pic maybe we can meet up next week.

Sims: Yeah. And maybe meet up just to meet, get comfortable and all.

Affiant: Yeah. That makes me a bit nervous. You can imagine how risky this is for me too.

I stay real careful.

Sims: Yeah, for sure. Send the pic if you'd like and we'll keep chatting about it and see what we can do

16. On August 25, 2016, SIMS wrote to your Affiant via Kik, "Looking forward to seeing her," in reference to your Affiant's purported 10-year old daughter. SIMS wrote further, "if you get a chance to send any pic today". In response, your Affiant sent SIMS two images of your Affiant's purported 10-year-old daughter (note that the images were not of a real child). After sending the pictures, your Affiant and SIMS had the following conversation via Kik:

Sims: Wow dude. Awesome. I'm terrified though.

Affiant: She has a real hot bod, 4'10" about 70lbs. Good little slut. Lol

Sims: Jesus. Have you done this kind of thing before? Is she really game?

Affiant: We have talked about bringing in another guy for a while. She loves it.

Sims: Nice. I'm so fucking hard thinking about that right now

Affiant: This is our first time with another dude. She sucks real good and loves to get her pussy licked

Sims: Bet she is delicious

Affiant: Dude. Addicted to her pussy juice. Lol ... Smooth and tasty

Sims: Mmmm.

Affiant: You okay with just oral...She may not want to fuck but we will see how comfortable she gets... Nothing forced. We keep it playful

Sims: Yeah, would want to take it slow and keep her happy...Really wishing I had come to meet you this afternoon

17. On October 4, 2016, your Affiant asked SIMS, “You come across any more good vids”, to which SIMS replied, “Yeah, let me look”. SIMS then proceeded to send your Affiant a Dropbox link and commented, “Some of the same, I’m sure”. This Dropbox link contained a folder titled, “young”. Inside the folder were 81 videos of suspected child pornography. One video titled, “_Pthc__Lily_10Yo_-_Takes_It_Full7y_-_8m39S.avi,” depicts an adult male performing oral sex and then having anal sex, followed by vaginal sex with a prepubescent female, approximately 10 years old. Another video depicts a prepubescent girl and prepubescent boy engaging in sexual acts. Your Affiant opened the links to these videos from within the Eastern District of Virginia.

18. On October 19, 2016, SIMS sent your Affiant a video via Kik depicting an adult male having anal sex with a prepubescent female, approximately six years old. Your Affiant accessed this video from within the Eastern District of Virginia.

19. Later on October 19, 2016, your Affiant sent SIMS an image of your Affiant’s purported 10-year-old daughter (note that the image was not of a real child). SIMS replied, “Fuck. Wow”.

20. On November 8, 2016, your Affiant asked SIMS, “Hey, Any new material?” to which SIMS replied, “Hey man. Was just thinking of you this morning.” SIMS then sent a link to Dropbox. This Dropbox link contained multiple videos of child pornography. One video depicted two naked prepubescent females lying on their backs, on top of one another. An adult male then goes back and forth, placing his penis into each of the girl’s vaginas. A second video depicts a naked prepubescent female, approximately five years old, being vaginally penetrated by an adult male penis. Your Affiant accessed these videos from within the Eastern District of Virginia.

21. On February 21, 2017, SIMS asked your Affiant, “How’s it going” to which your Affiant replied, “Same same. All good. Any good material lately?” and, “Dude, I need some poon”. SIMS replied, “I’ll look for something after I leave work. Can’t on the wifi here.” Later that evening, SIMS sent a link to a Dropbox that contained 57 videos. One of these videos depicted a young prepubescent girl exposing her vagina to the camera. Your Affiant opened the link to this video from within the Eastern District of Virginia.

22. On February 22, 2017, SIMS sent your Affiant a pcloud link⁵ containing over 250 video files. One of the files, titled “tara9yo sucksharry 21”, depicts a young prepubescent female providing oral sex on an adult male. A second video titled, “Child 3 yo smoke” depicts a young prepubescent female, approximately three years old, inserting an adult male penis into her mouth. Your Affiant opened the link to these videos from within the Eastern District of Virginia.

23. Investigators confirmed that the individual communicating with your Affiant was SIMS by linking Kik account information with other identifying information. For example, records received from Kik pursuant to Administrative Subpoena requests, received on August 24, 2016 and May 23, 2017, reveal that the e-mail address associated with the username, “Bartleby,” is sims.esq@icloud.com. The Kik records further indicate the user of the “Bartleby.” account installed Kik on an iPhone device.

24. Kik provided user logs indicating that the “Bartleby.” account had been connected to IP address 73.163.184.159 on August 8, 2016 and August 9, 2016 at specific times during which “Bartleby.” had discussed with your Affiant and distributed to your Affiant child pornography.

⁵ “Plink”, like Dropbox, is a cloud storage and sharing medium, through which users can send e-mail links allowing others to access the content of the account holder’s cloud storage account.

For example, the “Bartleby.” account had been connected to IP address 73.163.184.159 when, at approximately 5:24:03 p.m. on August 8, 2016, your Affiant received from “Bartleby.” a Dropbox link containing numerous videos containing child pornography.

25. It was determined that Comcast provides service to IP address 73.163.184.159. Comcast provided information which indicated that, in August 2016, the subscriber of the account associated with the IP address 73.163.184.159 was Jason Sims; that the e-mail associated with the account is jasonmarksims@comcast.net; that IP address 73.163.184.159 was assigned to the physical address 407 D Street NE, Washington D.C. 20002; and that the telephone number associated with the IP address was 202-465-1568.

26. It was further determined that telephone number 202-465-1568 is serviced by T-Mobile. T-Mobile provided records indicating that the telephone number 202-465-1568 is registered to Jason Sims, who resided at 407 D Street, NE, Washington D.C. 2002. Furthermore, T-Mobile provided the International Mobile Equipment Identity number (IMEI) for the specific device assigned the cellular telephone number 202-465-1568. This unique IMEI, 359218077091911, is assigned to an iPhone 7. As discussed above, law enforcement has learned that the user of the “Bartleby.” account installed Kik on an iPhone, from which the “Bartleby.” account was accessed.

27. Your Affiant obtained a Washington D.C. driver’s license for an individual named Jason Sims, with a listed address of 407 D Street NE, Washington D.C. 20002. Open source computer searches for “Jason Sims” produced Facebook account associated with that name, and the profile pictures on both Facebook and the Kik account “Bartleby.” match SIMS’ Washington D.C. driver’s license photograph. Records from the Department of Motor Vehicles indicated that Jason Sims resided at 407 D Street NE, Washington D.C. 20002.

28. On May 4, 2017, the 407 D Street, NE property was listed for sale. Subsequent surveillance indicated that Sims no longer resides at the 407 D Street address. However, law enforcement obtained updated records from the United States Postal Service indicating that Sims now resides at 403 E Street, NE, Washington D.C. 20002 and that he has the same telephone number previously identified—(202) 465-1568.

29. Furthermore, address records obtained by law enforcement indicate that the only individuals who have resided at the 407 D Street, NE property were SIMS, his wife, and a woman believed to be his mother. Further, records show that the only individuals who list the 403 E Street, NE property as their address are SIMS and his wife.

30. On May 10, 2017, a covert text message was sent to (202) 465-1568, SIMS' telephone number. The text message exchange additionally confirms that SIMS is the person communicating as "Bartleby.":

Affiant to telephone number (202) 465-1568: Hey, updating my phone and I have this number saved in my phone as "attorney". Not sure when/where I got this from. This is Brooke

Telephone number (202) 465-1568 to Affiant: Hi Brooke. This is Jason. As it turns out, I am a lawyer, but I don't think you've been a client of mine, at least not recently.

31. A search of Jason Sims' LinkedIn Profile (a social media employment site) indicates Jason Sims is currently employed as a staff attorney at the law offices of Paul, Weiss, Rifkind, Wharton & Garrison LLP. A further review of user logs obtained from Kik show that the "Bartleby." account connected to the IP address 208.185.180.147 both in August 2016 and May 2017.

32. It was determined IP address 208.185.180.147 is serviced by Zayo Broadwidth. Zayo Broadwidth provided records indicating that IP address 208.185.180.147 is registered to the

law offices of Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1205 Avenue of Americas, New York, New York.

33. From August 2016 to as recently as March 6, 2017, SIMS and your Affiant attempted on several occasions to make plans to meet face-to-face. Ultimately, no arrangements were finalized and no face-to-face meeting took place.

34. Physical surveillance conducted at around 6:30 a.m., in early May 2017, prior to Sims vacating the 407 D Street address, revealed Sims exiting the 407 D Street residence, walking a small dog, returning the dog inside the residence, and then departing, presumably for work. No other individuals were observed entering or exiting the home. Similar surveillance conducted during the morning of May 31, 2017, at 403 E Street, NE, Washington D.C. residence revealed Sims exiting his home, walking a small dog, placing the dog back inside the residence and then departing the residence. No other individuals were seen at this location.

35. On May 17, 2017, SIMS contacted your Affiant via Kik to discuss why he did not finalize arrangements to meet your Affiant and your Affiant's purported daughter:

Sims: Hey, I'll be honest, I'm just too freaked out. I'm very jealous of what you have, and wish I had the balls to play, but I'm terrified.

Affiant: Hey man - I get that, believe me. It would still be pretty cool to just grab a beer sometime. Didn't mean to scare you. I held back and never introduced anyone to my situation. It was kinda dumb of me to try - too much to risk. Let me know about the drink – thanks

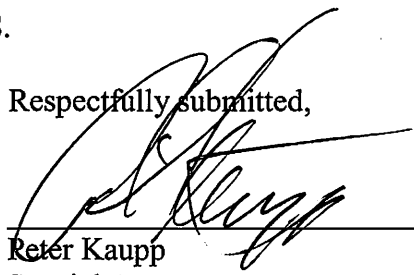
36. A review of the IP addresses utilized by the "Bartleby." account on May 17, 2017 indicates significant connectivity to the IP address 73.128.106.48. Comcast provides service to this IP address. An initial administrative subpoena request to Comcast dated May 23, 2017 revealed no information on this IP address. However, a second request, dated June 6, 2017

revealed that the subscriber of this IP address is Jason Sims; that the IP address is linked to the physical address 403 E. Street, NE, Washington D.C., and that the IP address is linked to the telephone number 202-465-1568.

37. Based on the above information, there is probable cause to believe that JASON MARK SIMS used a digital device connected to the Internet to violate Title 18, United States Code, Sections 2252(a), which make it a federal crime for any person to knowingly receive, distribute or possess child pornography.

38. Based upon the foregoing, I respectfully request that this Court issue a complaint and arrest warrant for JASON MARK SIMS.

Respectfully submitted,


Peter Kaupp
Special Agent
Federal Bureau of Investigation

Approved by: AUSA Kellen S. Dwyer
AUSA Laura Fong

Subscribed and sworn to before me this 13th day of June 2017.

/s/ [Signature]
Michael S. Nachmanoff
United States Magistrate Judge

The Honorable Michael S. Nachmanoff
United States Magistrate Judge